

CERTIFICATE OF SERVICE BY MAIL

I certify under penalty of perjury that on April 28, 2008, I served the following papers on Mimi Rupp, Esq. of Kenyon & Kenyon LLP, One Broadway, New York, NY 10004, attorneys for the Plaintiff in Civil Action No. 08-cv-3544 (WHP) (SDNY), by personal delivery:

1. Declaration of James Montgomery, dated April 28, 2008.
2. Declaration of Paul Haryash, dated April 28, 2008
3. Memorandum of Law in Opposition, etc., dated April 28, 2008

Dated: New York, New York
April 28, 2008

S/
JASON BAXTER (JB5995)